

Message Text

CONFIDENTIAL

PAGE 01 MANILA 17778 091005Z
ACTION EA-12

INFO OCT-01 ISO-00 ONY-00 /013 W
-----016372 091012Z /15
P 090934Z NOV 77
FM AMEMBASSY MANILA
TO SECSTATE WASHDC PRIORITY 7676

C O N F I D E N T I A L MANILA 17778

FOR EA ONLY, FOR FLECK FROM WENZEL

E.O. 11652: GDS
TAGS: SHUM, RP
SUBJECT: HUMAN RIGHTS EVALUATION PLAN

REF: STATE 264821

1. FOLLOWING ARE OUR ANSWERS TO THE QUESTIONS IN REFTEL.
WE WISH TO REEMPHASIZE DANGER, HOWEVER, IN ATTEMPTS TO
QUANTIFY HUMAN RIGHTS SITUATION IN THE PHILIPPINES. DATA
HERE IS SOFT AND ONCE AGAIN WE ADVISE RESISTANCE TO BEING
DRAWN SERIOUSLY INTO "NUMBERS GAME."

(A) Q. ARE FIGURES IN REFTEL CORRECT?

A. ARTHIMATICALLY, YES. HOWEVER, FIGURE 4,264
YOU USE AS STARTING POINT SHOULD BE 4,764, FIGURE
PRESIDENT MARCOS GAVE TO FOREIGN CORRESPONDENTS' ASSN. JUNE 3
(MANILA 8725). IF YOU ADD 500 TO EACH NUMBER IN "NO. OF
DETAINEES" AND "STILL DETAINED" ROWS IN REFTEL, YOU WILL
HAVE INTERNALLY CONSISTENT FIGURES BASED ON GOP ANNOUNCEMENTS.
BUT WE CANNOT VERIFY THE STARTING FIGURE, NOR CAN WE VOUCH
FOR THE ALLEGED 3,068 RELEASES. THUS WE BELIEVE IT IS
PRUDENT TO QUESTION THE ACCURACY OF SUCH FIGURES, EXCEPT
PERHAPS FOR "BALLPARK" PURPOSES.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANILA 17778 091005Z

(B) Q. OF THOSE RELEASED, HOW MANY WERE HELD FOR
SECURITY OR POLITICAL REASONS?

A. GOP DEFINES "SECURITY" DETAINEE AS ANYONE
CHARGED WITH REBELLION, TREASON, SUBVERSION, ETC. MARCOS
SAID JUNE 3 THAT GOP WAS HOLDING 598 SUCH DETAINEES. ONLY
TWO OF THE SIX BATCHES OF RELEASES WERE ACCOMPANIED BY

ANNOUNCEMENT OF NUMBER OF "SECURITY" DETAINEES INCLUDED THEREIN. THESE WERE 168 OF 500 RELEASED 6/26 AND 89 OF 500 RELEASED 8/27. THUS BY PUBLISHED GOP FIGURES, AT LEAST 257 "SECURITY" DETAINEES HAVE BEEN RELEASED. OR, IF WE COULD ASSUME AVERAGE 100 PER BATCH OF 500 WERE "SECURITY" DETAINEES, ALL 598 WOULD HAVE BEEN RELEASED. CHURCH SOURCES, ON THE OTHER HAND, WORKING FROM LISTS OF PUBLISHED NAMES, COME UP WITH FOLLOWING FIGURES: OF THE 3,068 REPORTED RELEASES, ONLY 1,037 NAMES WERE PUBLICIZED; OF THESE, 95 HAD BEEN DEFINED BY CHURCH AS POLITICAL DETAINEES; OF THESE, 41 WERE RELEASED ON OR AFTER 6/26; THE OTHER 54 HAD BEEN RELEASED EARLIER, SOME UP TO FOUR YEARS EARLIER, AND TWO HAD DIED IN DETENTION. THUS, PERHAPS, ONLY 41 OF MARCOS' 598 SECURITY DETAINEES WERE ACTUALLY RELEASED. CHURCH COUNTS AT LEAST 561 DETAINEES THEY DEFINE AS POLITICAL STILL DETAINED AS OF NOVEMBER 8.

(C) Q. HAS MARCOS' JUNE DECREE TO BEGIN PHASE-OUT OF MILITARY TRIBUNALS BEEN IMPLEMENTED?

A. YES. THE RELEASE DISCUSSED ABOVE WERE A RESULT OF THAT REVIEW. ALL CASES IN MILITARY DETENTION HAVE BEEN (OR ARE NOW BEING) REVIEWED. WE UNDERSTAND THAT MANY DETAINEES WERE SIMPLY RELEASED AFTER THEIR CASE WAS REVIEWED.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANILA 17778 091005Z

(D) Q. WHAT WAS DISPOSITION OF CASES THEN BEFORE MILITARY TRIBUNALS?

A. THEY REMAINED BEFORE MILITARY TRIBUNALS, PARTIALLY TO AVOID CHARGES OF DOUBLE JEOPARDY.

(E) Q. HAVE ANY SUBSEQUENT CASES BEEN DISMISSED OR BROUGHT BEFORE CIVILIAN COURTS?

A. WE ARE UNAWARE OF ANY "POLITICAL" CASES IN THESE CATEGORIES. "SECURITY" CASES REMAIN UNDER MILITARY JURISDICTION.

(F) Q. HAS AN AFP INDOCTRINATION PROGRAM ON PROPER TREATMENT OF PRISONERS BEEN IMPLEMENTED?

A. NOT TO OUR KNOWLEDGE. HOWEVER, NEW PRESIDENTIAL INSTRUCTIONS ON ARREST AND DETENTION PROCEDURES WERE ISSUED LAST WEEK (MANILA 17411). MOREOVER, CHURCH SOURCE OBSERVED TO EMBOFF NOVEMBER 8 THAT REPORTS OF TORTURE HAVE SLACKED OFF DRASTICALLY IN PAST FEW WEEKS IN METRO MANILA. SOURCE SPECULATED THAT MILITARY MUST HAVE

RECEIVED SOME SORT OF INSTRUCTIONS.

2. PLEASE NOTE FOR EA ONLY CAPTION.
NEWSOM

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, POLITICAL PRISONERS
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Nov-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MANILA17778
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770413-1121
Format: TEL
From: MANILA
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771179/aaaacpna.tel
Line Count: 120
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 584b2f1e-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: ONLY
Reference: 77 STATE 264821
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 656499
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS EVALUATION PLAN
TAGS: SHUM, PINS, RP
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/584b2f1e-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009